

House File 362 - Introduced

HOUSE FILE 362

BY SALMON

A BILL FOR

1 An Act concerning alternative transportation options relating
2 to mental health services.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. MENTAL HEALTH SYSTEM — ALTERNATIVE
2 TRANSPORTATION OPTIONS.

3 1. The department of human services shall work with
4 regional administrators of the mental health and disability
5 services regions, representatives of the judicial branch
6 representing judges, district court administration, clerks
7 of court, the Iowa hospital association, community mental
8 health centers, mental health advocates, city and county law
9 enforcement, emergency medical services personnel, and other
10 appropriate entities to develop recommended protocols for the
11 use of alternative transportation options for the transport of
12 individuals with mental illness and to develop a recommended
13 associated reimbursement methodology.

14 2. The protocols developed shall balance the appropriate
15 level of risk management and safety relative to all involved
16 with the goal of reducing the costs associated with and
17 the overreliance on law enforcement and emergency medical
18 services in providing transportation for persons with mental
19 illness throughout the system continuum including for routine
20 appointments, assessment, or treatment, or during the voluntary
21 and involuntary commitment processes.

22 3. The protocols shall reflect all of the following:

23 a. Individuals with mental illness should be provided with
24 the least restrictive, safe transportation option to minimize
25 interference with their rights, dignity, and self-respect,
26 and reduce the likelihood that the act of transporting the
27 individual will be a traumatic event.

28 b. A hierarchy of alternative transportation options to
29 match the totality of the circumstances presented. Factors
30 to consider in developing the hierarchy may include existing
31 statutory requirements, the individual's legal status, the
32 individual's current and past mental health history, the
33 individual's physical health, the individual's immediate
34 treatment needs, the risk of harm the individual poses to self
35 and others, the distance to be traveled, the individual's need

1 for clinical support, supervision, and sedation during travel,
2 the available modes of transportation, the likely effect on the
3 individual of the proposed mode of transportation, information
4 provided by other service providers, family, or caregivers, and
5 the availability of appropriately trained staff for assessment
6 and escorting, especially in rural areas.

7 4. The department shall report the recommended protocols
8 developed and the associated reimbursement methodology,
9 including any necessary changes in statute or rule, to the
10 governor and general assembly by December 15, 2015.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill directs the department of human services to work
15 with a variety of appropriate entities to develop recommended
16 protocols for the use of alternative transportation options
17 for the transport of individuals with mental illness and to
18 develop a recommended associated reimbursement methodology.
19 The protocols developed shall balance the appropriate level of
20 risk management and safety relative to all involved with the
21 goal of reducing the costs associated with and the overreliance
22 on law enforcement and emergency medical services in providing
23 transportation for persons with mental illness throughout
24 the system continuum. The protocols are to reflect that
25 individuals with mental illness should be provided with the
26 least restrictive, safe transportation option to minimize
27 interference with their rights, dignity, and self-respect,
28 and reduce the likelihood that the act of transporting the
29 individual will be a traumatic event; and the protocols
30 should provide for a hierarchy of alternative transportation
31 options to match the totality of the circumstances presented.
32 The department of human services is required to report
33 the recommended protocols developed and the associated
34 reimbursement methodology, including any necessary changes
35 in statute or rule, to the governor and general assembly by

H.F. 362

1 December 15, 2015.